

REMARKS

Claims 1-16 remain pending in this application. In the Office Action, claims 1-4, 6-14 and 16 were rejected under 35 U.S.C. §102(b) as being anticipated by Allison et al. (WO 200271234 A) (“Allison”) and claims 5 and 15 were rejected under 35 U.S.C. §103(a) as being unpatentable over Allison in view of Garcia (US 6,633,764) (“Garcia”). These grounds of rejection are respectfully traversed.

The present invention, as recited in the claims, is directed to methods for detecting undesirable events that may occur in a network. More specifically, the claimed embodiments of the present invention are configured to detect unwanted “spam” messages or undesirable routing loop conditions. This is accomplished by, as recited in the independent claims (claims 1, 8 and 12), keeping track of not only the number of times that a message is received from a given source (and perhaps destined for a given destination), but also of what time a given message is received. In the latter instance, a “timestamp” is created and/or updated for the given message that has been received. In this manner, it is possible to better determine whether a threshold number of messages from the given source has been received over a predetermined period of time.

As explained in, e.g., paragraph [0019] of the specification, “[w]ith the counter and timestamp information, it is possible in accordance with the present invention to implement an efficient “jumping window” of fixed size by using a garbage collection method that removes all entries older than a fixed window size in regular intervals.” (Emphasis added.) Without the expressly claimed “timestamp” aspect of the invention (along with the counter aspect), any such “garbage collection method” cannot be efficiently performed.

Allison discloses a method for preventing short message service (SMS) message flooding. As explained at Page 13 of the reference, a flood control module 340 employs a table similar to that shown by Table 1 on that same page that keeps track of calling and called parties, point codes, and carrier identifications. The table also includes a field for the number of SMS messages and a threshold value. This table and the corresponding discussion thereof, however, does not disclose, teach or suggest the use of a timestamp in connection with identifying spam or

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routing loop events, as required by the instant claims. The cited passage of page 15, lines 12-14 of Allison does not disclose the use of a “timestamp” for a given message, but rather discloses only the expiration of a timer that is, as best understood from the context, not at all associated with the time a given message was received. In other words, the timer, perhaps, e.g., a basic countdown timer, is not a “timestamp” in the manner used in the claims.

Independent claim 12, for example, expressly requires “updating the timestamp each time the first message again passes through the intermediary.” As such, the passage of a message is the event that triggers the updating of a timestamp for purposes of monitoring for an undesirable condition. Allison does not disclose this feature of the claimed invention. As such, Allison does not disclose every element of the claim as required by MPEP 2131, and the reference therefore does not anticipate any of the claims under §102(b).

Applicants note that Garcia fails to overcome the deficiencies of Allison outlined above. Accordingly, the §103 rejection of the claims based on a combination of Allison and Garcia should be withdrawn.

In view of the foregoing, all of the claims in this case are believed to be in condition for allowance. Should the Examiner have any questions or determine that any further action is desirable to place this application in even better condition for issue, the Examiner is encouraged to telephone applicants’ undersigned representative at the number listed below.

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